

1245 N. 21st Street

**Details**

9-10-07- A fire occurred at the residence located at 1245 N. 21<sup>st</sup> Street. The tenant was in the process of moving out of the property and the cause of the fire was later determined to be caused by a cigarette that had been discarded into the couch on the front porch.

9-11-07- The property was posted with a placard, and a notice, that identified the structure as a dangerous building as outlined by Chapter 20.04 of the Lincoln Municipal Code. A notice was also sent by certified mail to the owner of record, Francisco Torres. Mr. Torres signed for the certified mail and the receipt was returned to the Building and Safety Department.

12-6-07- Building and Safety Department consulted with the City Attorneys office on legal requirements and were advised to send a notice to two other parties that showed a financial interest in the property. The Dangerous Building Code requires a 30 day appeal period be granted to any owner or person with a financial interest in the property.

1-15-08- A certified notice was mailed to New Century Mortgage Corp. and Hung Quoc Dao outlining that the City had declared the property dangerous. In addition, this notice outlined their right to appeal the findings to the Dangerous Building Code Board of Appeals within thirty days of the date of this notice.

3-11-08- Consulted with the City Attorney about legal notice requirements and any remaining legal issues before demolition could take place. The City Attorney advised that a notice be sent to Hung Quoc Dao and his wife. In addition, financial interest came to light with Deutsche Bank, so notices were sent to both of these parties. The City also took steps to secure the building by boarding it up so that nobody could enter it.

4-11-08- An appeal was filed by Deutsch Bank and received by the Dangerous Building Board of Appeals .

05-8-08- A meeting of the Dangerous Building Code Board of Appeals was convened and ,Steffi Swanson was the attorney representing Deutsch Bank. She withdrew her appeal after the Appeal Board granted an additional forty-five days for the Deutsch Bank to determine whether they would repair or demolish the structure. The Appeal Board emphasized that if the bank failed to repair or demolish the structure, that they would waive any right to prevent the City from demolishing the dangerous structure.

7-17-08- Deutsch Bank failed to take action within the 45 days extension granted by the Dangerous Building Board, so bids were requested from the demolition contractors approved by the City Purchasing Department.

9-11-08- Demolition of residence and completion of backfill was issued a final status by the Building and Safety Department.

## **Details**

11/13/06- A notice was sent to the owner on the garage that had a large branch from a tree that had fallen on it and damaged the roof badly. The notice required the owner to either repair or demolish the garage.

12/14/06- Building and Safety received a request for an extension from the owner. He requested an extension until June of 2007 to make the necessary repairs.

04/27/07- The owner told the inspection staff that he would apply for a building permit and repair the garage.

01/10/08- Building and Safety referred the Housing Code violations to the City Attorney and asked them to set a hearing date to prosecute the owners for the Housing Code violations.

02/13/08- Arraignment date set for the owner to appear and either plead guilty or not guilty to the Housing Code violations alleged against his property. The owners failed to appear in court.

04/08/08- Building and Safety Department sent a certified notice to the owner declaring the garage dangerous. In addition to this mailing, a copy of this notice and a placard declaring the building dangerous were attached to the garage. The owners did not appeal this notice to the City.

05/15/08- A final notice was sent in certified mail to the owners and was signed by Becky Houck on 05/17/08.

09/15/08- A Waiver affidavit was sent to the owner Rick Houck who agreed to consent to the demolition of the garage and waive any right of appeal. He later returned this form signed to the Building and Safety Department.

12/01/08- Demolition of garage given a final approval.